

Plaintiff further argues that, “[w]hile the Vocational Expert testified that sit/stand restriction could be performed by the Plaintiff, it was not clear as to how much time off task such an extensive sit/stand restriction would require and whether it may preclude competitive employment.” (*Id.* at pp. 10-11 of 12.)

The acting commissioner filed a response to Plaintiff’s objections. (Doc. 20.) The response and the magistrate judge note that the 15% figure raised by Plaintiff is speculation and further that Plaintiff never cross-examined the vocational expert with the 15% figure and its effect on the vocational expert’s testimony that the sit/stand option is compatible with jobs of surveillance monitor, information clerk/receptionist and telephone solicitor.

The sit/stand option was thoroughly explored with the vocational expert by the ALJ (Tr., pp. 57-58, 6-61) and thoroughly addressed by the magistrate judge (Doc. 17, pp. 16-18). Plaintiff had every opportunity to cross-examine the vocational expert and chose not to do so.

The report and recommendation (Doc. 17) will be adopted.

s/Sylvia H. Rambo
United States District Judge

Dated: December 14, 2015